

JOLIE A. RUSSO, U.S. Magistrate Judge

DISTRICT OF OREGON)
) ss. AFFIDAVIT OF NATHAN BRESEE
COUNTY OF MULTNOMAH)

Affidavit in Support of a Criminal Complaint

I, Nathan Bresee, being first duly sworn, hereby depose and state as follows:

Introduction and Agent Background

1. I am an investigative or law enforcement officer of the United States, within the meaning of Section 2510(7) of Title 18, United States Code, and am empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516 of Title 18, United States Code).

2. I am a Special Agent with Homeland Security Investigations (HSI) and have been since December 2009. While employed with HSI, I have attended numerous training courses, including the Immigration and Customs Enforcement Special Agent Training course, Criminal Investigator Training Program, and specialized courses in narcotics trafficking investigations. I am currently assigned to the HSI Portland Narcotics and Bulk Cash Smuggling group in Portland, Oregon. I have over 20 years of experience as a law enforcement officer. Prior to my employment with HSI, I was a Customs and Border Protection Officer (CBPO) assigned to the Contraband Enforcement Team. As a Special Agent, I have participated in numerous drug investigations as either the lead case agent or as a supporting investigative agent. I am familiar with narcotics traffickers' methods of operation, including the manufacture, storage, transportation, and distribution of narcotics, the collection of money that represents the proceeds of narcotics trafficking, and money laundering. I am familiar with how drug traffickers utilize counter-surveillance techniques to avoid detection by law enforcement. Additionally, I

have also been involved in investigations involving wiretaps as part of the federal investigations into narcotics trafficking.

Purpose of Affidavit

3. This affidavit is submitted to support a criminal complaint and arrest warrant for four individuals:

- **ARTURO AVILEZ PEREZ (“AVILEZ”),**
- **JORGE ARTURO PEREZ (“PEREZ”),**
- **MARIA DE JESUS CHAVEZ SEGURA (“CHAVEZ”), and**
- **KATYA VALERIA CHAVEZ ESCOBEDO (“ESCOBEDO”)**

for possession with intent to distribute 400 grams or more of a mixture and substance containing fentanyl, a Schedule II controlled substances, and engaging in a criminal conspiracy to distribute and possess with the intent to distribute 400 grams or more of a mixture and substance containing fentanyl, a Schedule II controlled substances, in violation of Title 21 United States Code, Sections 841(a)(1), 841(b)(1)(A)(vi), and 846.

4. I have obtained the facts set forth in this affidavit through my personal participation in the investigation described below; from oral and written reports of other law enforcement officers; and, from records, documents and other evidence obtained during this investigation. I have obtained and read official reports prepared by law enforcement officers participating in this investigation and in other related investigations.

Target Offenses

5. Title 21, United States Code, Sections 841(a)(1), (b)(1)(A)(vi) and 846 makes it illegal to possess with the intent to distribute 400 grams or more of a mixture or substance containing a detectable amount of fentanyl, or to conspire to do so. Based on the facts from this investigation, these offenses

carry a maximum sentence of 10 years to life imprisonment, a fine of up to \$10 million, and a 5-year term of supervised release.

[REDACTED]

6.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Statement of Probable Cause

April 2024: Investigators Conduct Controlled Purchase of Cocaine from AVILEZ

8. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

10.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

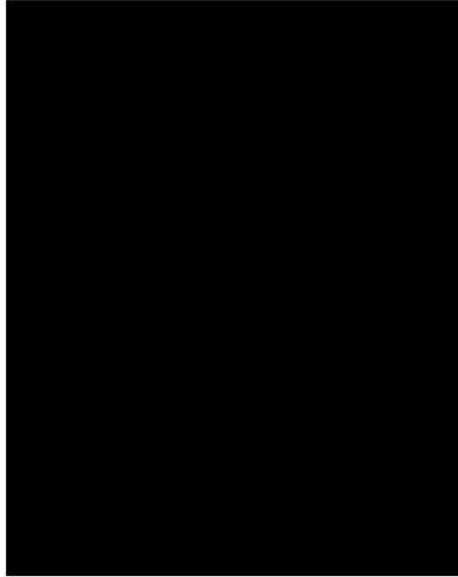
11.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



May 3, 2024: Investigators Begin Tracking SP-4580's Geolocation Data

12. On May 3, 2024, I applied for a search warrant for location information regarding the telephone utilized by AVILEZ [REDACTED]. The warrant was subsequently reviewed, and signed by the Honorable Youlee Yim You, United States Magistrate Judge, for the District of Oregon (3:24-mc-00490).

May 8, 2024: AVILEZ Arranges to Distribute Three Kilograms of Fentanyl

13. [REDACTED]

[REDACTED]

[REDACTED]

Through these conversations, [REDACTED] AVILEZ was in possession of three kilograms of fentanyl, which AVILEZ advised would sell them [REDACTED].

14. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

15. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

16. On the morning of May 8, 2024, investigators reviewed historical geolocation and monitored the incoming geolocation information for AVILEZ' cellphone, SP-4580, and determined he had traveled from Yakima, Washington and arrived in a rural area near Williams, Oregon. Investigators contacted Medford Police Department and MADGE Task Force who then conducted drive-bys of the area, but were unable to determine AVILEZ' exact location. MADGE

Task Force investigators established static surveillance and were provided updated geolocation data for AVILEZ' cellphone.

May 8, 2024: Investigators Locate and Follow Two Vehicles Traveling in Tandem to Portland

17. That afternoon, MADGE located a black Chevy Malibu, bearing Washington State registration, and registered to an address in Yakima, Washington in Southern Oregon, near Grants Pass traveling northbound on I5. OSP continued to follow the vehicle, which was traveling in sync with the incoming geolocation data for AVILEZ' cellphone.

18. [REDACTED]
[REDACTED]
[REDACTED]

19. While following the Malibu, OSP observed the Malibu was being followed by a silver Chevy Silverado bearing California State registration, and registered in Calexico, California. I conducted law enforcement database checks and found on the evening of May 7, 2024, the Silverado had made entry into the US from Mexico and was occupied by CHAVEZ and ESCOBEDO.

20. Investigators followed the Malibu and Silverado, as they traveled in tandem, northbound via the I-5 corridor. Investigators observed they were traveling at the same speed and would change lanes together. I know, based on my training and experience, narcotics traffickers often utilize multiple vehicles to transport narcotics. The use of multiple vehicles allows the traffickers to have a lead vehicle as a lookout for law enforcement and often times the lead vehicle is a decoy for the actual vehicle transporting the narcotics.

21. Near the Enchanted Forest in Turner, Oregon, the Malibu exited I-5, entered into southbound I-5 traffic. The Malibu took the first southbound exit and reentered northbound I-5

traffic and traveled at over 75 mph until catching back up with the Silverado. Investigators, based on their training and experience believed the operator of the Malibu, later found to be PEREZ, was conducting a counter surveillance detection maneuver (“a heat check”) in an attempt to detect the presence of law enforcement.

Investigators Stop both Vehicles and Detain the Occupants in Portland

22. Investigators continued surveillance of both the Malibu and the Silverado as they arrived in the Portland metro area. Investigators observed the Silverado arrive at a gas station near Portland, Oregon, area where ESCOBEDO and CHAVEZ were observed exiting the truck and entering the convenience store. Around the same time, Investigators observed the Malibu arrive at a gas station in northeast Portland, Oregon. Investigators determined the vehicle was being driven by PEREZ and AVILEZ was in the front passenger seat. Additionally, there were two other adult males in the rear passenger seat of the Malibu.

23. Investigators coordinated a simultaneous enforcement action at both locations and safely took all six subjects into custody.

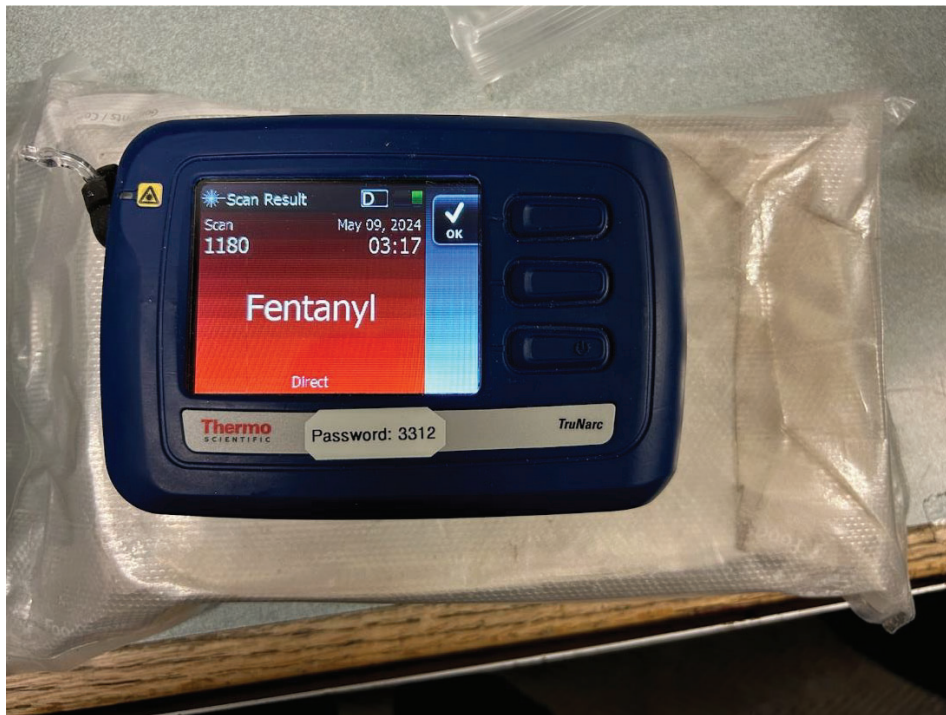
K-9 “Mando” Alerts to the Presence of Drugs in Both Vehicles, Investigators Seize Drug Evidence from the Malibu and Drugs from the Truck

24. WSCO K-9 Deputy Colburn, utilizing K-9 “Mando,” conducted a sweep of the Malibu and Silverado. Mando is a 4-year-old German Shepherd/Belgian Malinois mix. In April 2023, Mando and Deputy Colburn became a certified narcotic detection team through the Oregon Police Canine Association. In February 2023, Mando and Deputy Colburn became a certified narcotic detection team through the California Narcotic Canine Association. Mando and Deputy Colburn have participated and completed a 264-hour narcotic detection school, and continually train a minimum of 16 hours a month. Mando is trained to locate and alert only upon detecting

the odors of Cocaine, Heroin, Methamphetamine, and/or Fentanyl. Mando is a passive alert dog which means his final response is to down and stare as a passive alert but still will sometimes scratch at the source of odor.

25. While inspecting the Malibu, Deputy Colburn, and K-9 “Mando” received a positive alert for the presence of narcotics within the sedan. Investigators searched the Malibu and did not locate any narcotics. Investigators did find a wire transfer receipt dated May 6, 2024, for \$2,000 USD, sent from AVILEZ in Yakima, Washington to CHAVEZ in Corning, California. I know, based on my training and experience, narcotics traffickers often times wire transfer funds to the individuals responsible for transporting narcotics to pay fuel, hotel rooms, food, and incidentals. I believe AVILEZ wired the \$2,000 USD to CHAVEZ in California as payment to secure her transportation services and to bring the narcotics from Mexico to the District of Oregon.

26. While inspecting the Silverado, Deputy Colburn, and K-9 “Mando” received a positive alert for the presence of narcotics within the pickup. Investigators searched the Silverado and located three kilograms of fentanyl, which later field tested positive for the properties of fentanyl. Below is a photograph of the fentanyl at the Silverado and the field test results:



Post Arrest Statements

27. [REDACTED]

28.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

29.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

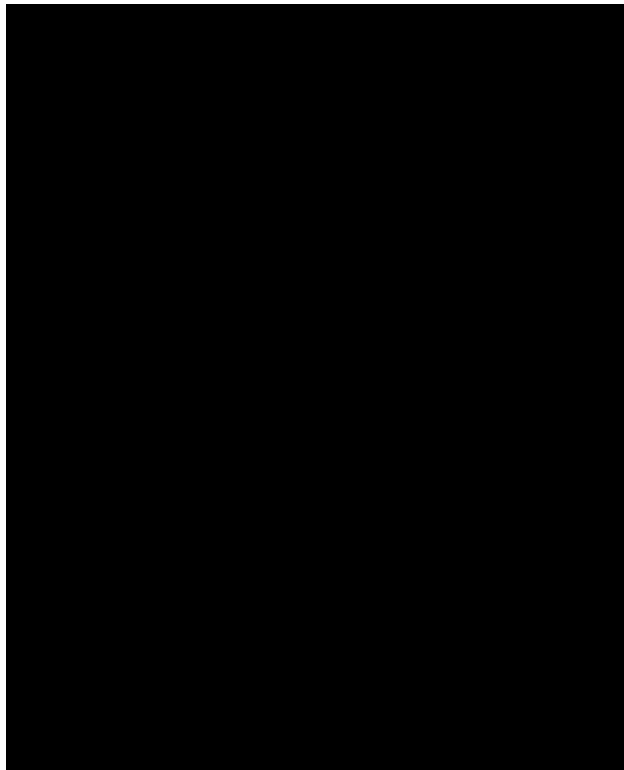
30.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



31. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

32. [REDACTED]

[REDACTED]

[REDACTED]

33. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

34. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

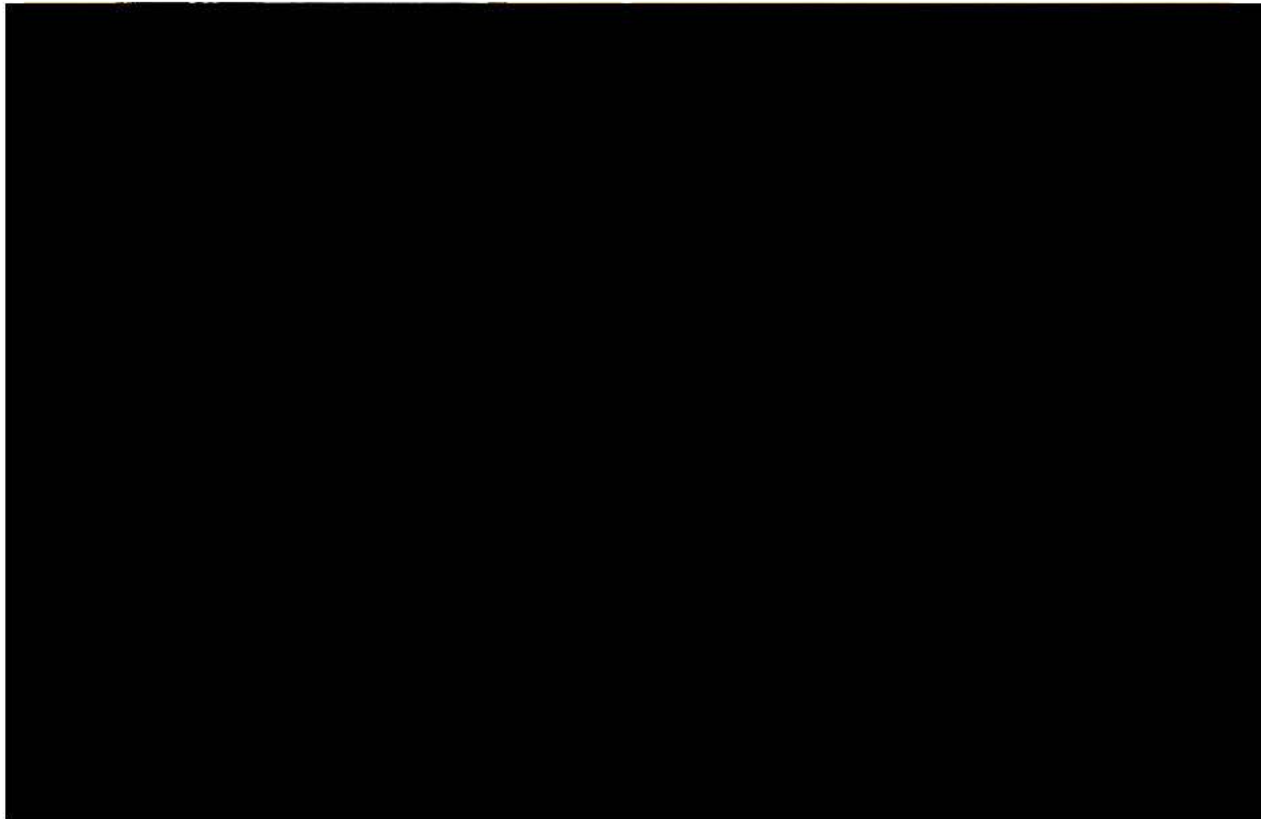
35. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

36. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

37. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

38. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



39. I know that drug traffickers are increasingly selling fentanyl in powdered form, a Schedule II controlled substance. I know a user amount of a powdered fentanyl can often sell on the street for between \$40-\$60 per gram, which can either be ingested or burned and inhaled, and that a lethal dose of fentanyl is around two milligrams. I know that a person possessing approximately two kilograms of suspected powdered fentanyl, approximately one million lethal doses of fentanyl, does not possess it for personal use but rather such a quantity indicates that they are possessed for purposes of further distribution.

Conclusion

40. Based on the foregoing, I have probable cause to believe, and I do believe, that **ARTURO AVILEZ PEREZ, JORGE ARTURO PEREZ, MARIA DE JESUS CHAVEZ SEGURA,** and **KATYA VALERIA CHAVEZ ESCOBEDO** committed the crimes of

Possession with Intent to Distribute 400 grams or more of a mixture and substance containing

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fentanyl, a Schedule II controlled substance, and Conspiracy to Distribute and Possess with the Intent to Distribute 400 grams or more of a mixture and substance containing fentanyl, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(vi), and 846. I therefore request that the Court issue a criminal complaint and arrest warrant for **ARTURO AVILEZ PEREZ, JORGE ARTURO PEREZ, MARIA DE JESUS CHAVEZ SEGURA, and KATYA VALERIA CHAVEZ ESCOBEDO.**

41. Prior to being submitted to the Court, this affidavit, the accompanying complaint, and the arrest warrant were all reviewed by Assistant United States Attorney Paul T. Maloney. AUSA Maloney advised me that in his opinion the affidavit and complaint are legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint and arrest warrant.

Request for Sealing

42. I further request that this Court issue an order sealing, until further order of the Court, all papers submitted in support of the requested search warrant, including the application, this affidavit, the attachments, and the requested search warrant. I believe that sealing these documents is necessary because the information to be seized is relevant to an ongoing investigation, and any disclosure of the information at this time may endanger the life or physical safety of an individual, cause flight from prosecution, cause destruction of or tampering with

evidence, cause intimidation of potential witnesses, or otherwise seriously jeopardize an

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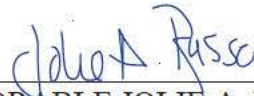
investigation. Premature disclosure of the contents of the application, this affidavit, the attachments, and the requested search warrant may adversely affect the integrity of the investigation.

By Telephone pursuant to Fed R. Crim. P. 4.1

NATHAN BRESEE

Special Agent, Homeland Security Investigations

Subscribed and sworn in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone at 9:05 ~~a~~m./p.m. on 9 day of May ~~X~~ 2024.



HONORABLE JOLIE A. RUSSO
UNITED STATES MAGISTRATE JUDGE